

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 5/19/2020
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JACK MANZELLA,

Plaintiff,

-against-

LONG ISLAND RAILROAD COMPANY,

Defendant.  
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1:19-cv-02269-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

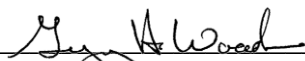
In the Court's December 13, 2019 order, the Court ordered the parties to submit a proposed brief, mutually acceptable description of the case, to be read to the venire, and a proposed brief, mutually acceptable overview of the applicable law, to be read to the jury as part of the Courts initial instructions prior to opening statements no later than May 1, 2020. Dkt No. 20. The parties submitted neither of those documents. The parties' are directed to comply with the Court's prior order forthwith.

In addition, in the parties' joint final trial report, the following passage appears: "Plaintiff objects to Dr. Rahhava Palavarapu on the grounds that he was never identified during the course of discovery; his report and records were never disclosed during discovery; and to the extent that he was never identified as an expert witness in accordance with the Court's scheduling order and in accordance with FRCP 26, nor was any expert disclosure produced by defendant." Dkt No. 22, at 5. Pursuant to Rule 5.B.i of the Court's Individual Rules of Practice in Civil Cases, motions *in limine* were due no later than May 1, 2020. If Plaintiff intends to file a motion *in limine* to exclude Dr. Palavarapu's testimony, he must do so no later than May 22, 2020 so that the motion can be fully briefed before the scheduled Final Pretrial Conference.

Both parties are reminded that the failure to follow court orders can result in the imposition of sanctions.

SO ORDERED.

Dated: May 19, 2020

  
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GREGORY H. WOODS  
United States District Judge